IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 14958 of 2004

Between:

1. K.Pandarinath Reddy, S/o.Ram Reddy,
   R/o.Plot No.194, Road No.10-c,

MLA's and MP's Colony, Jubilee Hills,
   Hyderabad
2. K.Pradeep Kumar, S/o/Subba Rao,
   R/o.H.O.1641, Road No.12, Banjara Hills,
   Hyderabad.

.. PETITIONERS

AND

The Special officer & Competent Authority,

Urban Land Ceilings, Hyderabad.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamus or any direction declaring the inaction of the respondent in not passing the orders in C.C.Nos.B1/2921/ 76, 2922/76, 2923/76, 2924/76, 1165/76 and 1166/76 is illegal and arbitrary and consequently direct the respondent to pass orders forthwith.

Counsel for the Petitioner: MR.N.SRIDHAR REDDY

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following:

ORDER:

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The petitioners claiming to be the members of Bharani Mutually Aided Co-operative Housing Society Limited, filed the present writ petition stating that land owners from whom land was purchased filed declarations under Section 6 of the Urban Land (Ceiling and Regulation) Act, 1976 (for short "the Act") and final orders were passed determining 26966-73 sq.mtrs as surplus land. Aggrieved by the same, land owners filed W.P.No.14627/1984 which was allowed on 27-7-1993 remitting the matter to the Special Officer and Competent Authority, Urban Land Celing, Hyderabad, for *de novo* enquiry. Since the Special Officer and Competent Authority has not completed the enquiry, the petitioners were deprived of benefits under G.O.Ms.No.455 Revenue (UC1) dated 29-7-2002 for regularization of their land which is in their occupation. Therefore, they seek a direction to finalize the proceedings as directed by this Court in W.P.No.14627/1984.

Learned Government Pleader, on instructions, submits that after finalization of the declaration, necessary notification was issued under Section 10(3) and 10(5) of the

Act and surplus land was taken over and handed over to Estate Officer, Hyderabad Urban Development Authority. Questioning the same, the landowners filed W.P. No.15121/84, which was disposed of on 22-1-1992 directing the Government to allot land in an extent of 3282.15 sq.mtrs to the Bharani Co-operative Housing Society under Section 23 of the Act. Meanwhile, W.P.No.14627/84 was allowed setting aside the declaration published in the A.P.Gazette dated 5-7-1984 and remitted the matter to the Special Officer and Competent Authority. After remand, Special Officer conducted fresh enquiry after issuing personal notices to the parties concerned and reserved the matter for orders.

In view of the same, respondent-Special Officer and Competent Authority, Urban Land Ceilings, Hyderabad is hereby directed to complete the enquiry in the declaration as directed by this Court in WP No.14627/1984 dated 27-7-1993 within a period of three months from the date of receipt of a copy of this order and communicate the result to the parties who are likely to be affected.

The writ petition is accordingly disposed of. No order as to costs.

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A.GOPAL REDDY, J

Dated: 31-08-2004

Lsk/Kmr

To

1. The Special officer & Competent Authority,

Urban Land Ceilings, Hyderabad.

2. Two C.Cs. to the Government Pleader for Revenue,

High Court Buildings, Hyderabad, (OUT)

3. Two C.D. copies.

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